

ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018
COMMITTEE STATEMENT
LB731

Hearing Date: Thursday January 18, 2018
Committee On: Health and Human Services
Introducer: Williams
One Liner: Provide for licensure of remote dispensing pharmacies

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:
Senator Matt Williams
Travis Maloley
Patty Gollner
Joni Cover

Representing:
Introducer
Nebraska Pharmacists Association
Nebraska Pharmacists Association; Keith's Pharmacies
Nebraska Pharmacists Association

Opponents:

Representing:

Neutral:
John Hilgert

Representing:
Nebraska Department of Veterans Affairs

Summary of purpose and/or changes:

LB 731 provides requirements for remote dispensing to the pharmacist in charge of a supervising pharmacy.

SECTION BY SECTION:

Section 1: Amends Section 38-2801 to add sections to the Pharmacy Practice Act.

Section 2: Amends Section 38-2802 to add sections.

Section 3: Amends Section 38-2833 to add remote dispensing license to definition of "pharmacist in charge."

Section 4: Defines "remote dispensing" as found in Section 15 of act.

Section 5: Defines "remote dispensing pharmacy" as found in Section 16 of act.

Section 6: Defines "supervising pharmacy" as found in Section 17 of act.

Section 7: Amends Section 38-2847 to update the definition of "verification" to include verification by a pharmacist of a pharmacy technician activities may be done via real-time audiovisual communications systems for the purposes of

remote dispensing.

Section 8: Amends Section 38-2870 to authorize a practitioner or practitioner's agent to transmit a medical order for an authorized refill to a pharmacy technician.

Section 9: Amends Section 38-2891 to clarify the mandate that pharmacy technicians are not allowed to perform tasks that require the professional judgment of a pharmacist.

Section 10: Amends Section 38-2892 to add remote dispensing pharmacy to the list of responsibilities for a pharmacist in charge in supervision and oversight of a pharmacy technician.

Section 11: Amends Section 38-28,106 to authorize a practitioner or practitioner's agent to transmit a medical order for an authorized refill to a pharmacy technician.

Section 12: Amends Section 71-401 to add new sections to the Health Care Facility Act.

Section 13: Amends Section 71-403 to add new sections.

Section 14: Amends Section 71-425 to update the definition of "pharmacy" to include remote dispensing pharmacy.

Section 15: Defines "remote dispensing."

Section 16: Defines "remote dispensing pharmacy."

Section 17: Defines "supervising pharmacy."

Section 18: Authorizes remote dispensing and specifies licensure requirements, supervision requirements for real-time audio visual communication, pharmacist in charge duties, and patient counseling by a pharmacist.

Section 19: Amends Section 71-2448 to add remote dispensing pharmacy to locations where prescription medication distribution machines may be used.

Section 20: Amends Section 71-2483 to authorize a practitioner or practitioner's agent to transmit a medical order for an authorized refill to a pharmacy technician.

Section 21: Repeal Sections 38-2833, 38-2847, 38-2891, 38-28,106, 71-425, 71-2448, 71-2483, 38-2501, 38-2802, 38-2870, 38-2892, and 71-407.

Explanation of amendments:

AM 2352 is a white copy amendment. AM 2352 includes portions of LB 681, LB 788, LB 790 and LB 1107. AM 2352 strikes the original bill of LB 731, however retains the original Sections 1-21. AM 2352 adds an exception that a pharmacist in charge is not required to work within the physical confines of a remote dispensing pharmacy unless otherwise required by law. Mandates a pharmacy shall not be licensed as both a remote dispensing pharmacy and a pharmacy.

Section 1: (Pg. 1) Section 1 of LB 681 as amended by AM 2207

Section 2: (Pgs. 2-3) Section 1 of LB 788 as amended by AM 2184

Section 3: (Pg. 3) Section 1 of LB 790 as amended by AM 2422

Section 4: (Pgs. 3-4) Section 2 of LB 790 as amended by AM 2422

Section 5: (Pg. 4) Section 1 of LB 1107 as amended by AM 2293

Section 6: (Pg. 4) Section 3 of LB 790 as amended by AM 2422; Section 2 of LB 1107 as amended by AM 2293

Section 7: (Pg. 4) Section 3 of LB 1107 as amended by AM 2293

Section 8: (Pgs. 4-5) Section 4 of LB 1107 as amended by AM 2293

Section 9: (Pg. 5) Section 4 of LB 790 as amended by AM 2422

Section 10: (Pg. 5) Section 5 of LB 790 as amended by AM 2422

Section 11: (Pg. 5) Section 6 of LB 790 as amended by AM 2422

Section 12: (Pg. 5) Section 5 of LB 1107 as amended by AM 2293

Section 13: (Pgs. 5-6) Section 6 of LB 1107 as amended by AM 2293

Section 14: (Pg. 6) Section 7 of LB 1107 as amended by AM 2293

Section 15: (Pgs. 6-7) Section 8 of LB 1107 as amended by AM 2293

Section 16: (Pgs. 7-8) Section 9 of LB 1107 as amended by AM 2293

Section 17: (Pg. 8) Section 10 of LB 1107 as amended by AM 2293

Section 18: (Pgs. 8-9) Section 11 of LB 1107 as amended by AM 2293

Section 19: (Pgs. 9-11) Section 12 of LB 1107 as amended by AM 2293

Section 20: (Pg. 11) Section 13 of LB 1107 as amended by AM 2293

Section 21: (Pg. 11) Section 14 of LB 1107 as amended by AM 2293

Section 22: (Pgs. 11-12) Section 15 of LB 1107 as amended by AM 2293

Section 23: (Pg. 12) Section 16 of LB 1107 as amended by AM 2293

Section 24: (Pgs. 12-14) Section 17 of LB 1107 as amended by AM 2293

Section 25: (Pgs. 14-15) Section 18 of LB 1107 as amended by AM 2293

Section 26: (Pg. 15) Section 19 of LB 1107 as amended by AM 2293

Section 27: (Pgs. 15-16) Section 20 of LB 1107 as amended by AM 2293

Section 28: (Pgs. 16-17) Section 21 of LB 1107 as amended by AM 2293

Section 29: (Pgs. 17-20) Section 22 of LB 1107 as amended by AM 2293

Section 30: (Pgs. 20-21) Section 23 of LB 1107 as amended by AM 2293

Section 31: (Pgs. 21-23) Section 24 of LB 1107 as amended by AM 2293

Section 32: (Pg. 23) Section 25 of LB 1107 as amended by AM 2293

Section 33: (Pgs. 23-24) Section 26 of LB 1107 as amended by AM 2293

Section 34: (Pg. 24) Section 27 of LB 1107 as amended by AM 2293

Section 35: (Pgs. 24-25) Section 28 of LB 1107 as amended by AM 2293

Section 36: (Pg. 25) Section 29 of LB 1107 as amended by AM 2293

Section 37: (Pgs. 25-26) Section 7 of LB 790 as amended by AM 2422

Section 38: (Pg. 26) Section 8 of LB 790 as amended by AM 2422

Section 39: (Pgs. 26-27) Section 9 of LB 790 as amended by AM 2422

Section 40: (Pgs. 27-28) Section 10 of LB 790 as amended by AM 2422

Section 41: (Pg. 29) Section 11 of LB 790 as amended by AM 2422

Section 42: (Pg. 29) Section 12 of LB 790 as amended by AM 2422

Section 43: (Pg. 29) Section 13 of LB 790 as amended by AM 2422

Section 44: (Pg. 29) Section 14 of LB 790 as amended by AM 2422

Section 45: (Pgs. 29-30) Section 30 of LB 1107 as amended by AM 2293

Section 46: (Pg. 30) Section 31 of LB 1107 as amended by AM 2293

Section 47: (Pgs. 30-31) Section 32 of LB 1107 as amended by AM 2293

Section 48: (Pgs. 31-32) Section 33 of LB 1107 as amended by AM 2293

Section 49: (Pg. 32) Section 34 of LB 1107 as amended by AM 2293

Section 50: (Pgs. 32-33) Section 35 of LB 1107 as amended by AM 2293

Section 51: (Pgs. 33-34) Section 36 of LB 1107 as amended by AM 2293

Section 52: (Pg. 34) Section 37 of LB 1107 as amended by AM 2293

Section 53: (Pgs. 34-35) Section 38 of LB 1107 as amended by AM 2293

Section 54: (Pgs. 35-38) Section 39 of LB 1107 as amended by AM 2293

Section 55: (Pgs. 38-40) Section 40 of LB 1107 as amended by AM 2293

Section 56: (Pg. 40) Section 41 of LB 1107 as amended by AM 2293

Section 57: (Pg. 40) Section 42 of LB 1107 as amended by AM 2293

Section 58: (Pgs. 40-41) Section 15 of LB 790 as amended by AM 2422

Section 59: (Pgs. 41-42) Section 16 of LB 790 as amended by AM 2422

Section 60: (Pg. 42) Section 17 of LB 790 as amended by AM 2422

Section 61: (Pgs. 42-44) Section 18 of LB 790 as amended by AM 2422

Section 62: (Pg. 44) Section 19 of LB 790 as amended by AM 2422

Section 63: (Pg. 44) Section 20 of LB 790 as amended by AM 2422

Section 64: (Pg. 44) Section 21 of LB 790 as amended by AM 2422

Section 65: (Pg. 44) Section 22 of LB 790 as amended by AM 2422

Section 66: (Pgs. 44-46) Section 43 of LB 1107 as amended by AM 2293

Section 67: (Pg. 46) Section 1 of LB 731 as amended by AM 2352

Section 68: (Pg. 46) Section 2 of LB 731 as amended by AM 2352

Section 69: (Pgs. 46-47) Section 3 of LB 731 as amended by AM 2352

Section 70: (Pg. 47) Section 4 of LB 731 as amended by AM 2352

Section 71: (Pg. 47) Section 5 of LB 731 as amended by AM 2352

Section 72: (Pg. 47) Section 6 of LB 731 as amended by AM 2352

Section 73: (Pg. 47) Section 7 of LB 731 as amended by AM 2352

Section 74: (Pgs. 47-49) Section 8 of LB 731 as amended by AM 2352

Section 75: (Pgs. 49-50) Section 9 of LB 731 as amended by AM 2352

Section 76: (Pg. 51) Section 10 of LB 731 as amended by AM 2352

Section 77: (Pg. 51) Section 11 of LB 731 as amended by AM 2352

Section 78: (Pgs. 51-52) Section 2 of LB 681 as amended by AM 2207

Section 79: (Pgs. 52-54) Section 23 of LB 790 as amended by AM 2422

Section 80: (Pg. 54) Section 24 of LB 790 as amended by AM 2422

Section 81: (Pgs. 54-55) Section 44 of LB 1107 as amended by AM 2293

Section 82: (Pg. 55) Section 45 of LB 1107 as amended by AM 2293

Section 83: (Pgs. 55-56) Section 46 of LB 1107 as amended by AM 2293

Section 84: (Pgs. 56-57) Section 25 of LB 790 as amended by AM 2422

Section 85: (Pg. 57) Section 26 of LB 790 as amended by AM 2422

Section 86: (Pgs. 57-58) Section 27 of LB 790 as amended by AM 2422

Section 87: (Pgs. 58-59) Section 28 of LB 790 as amended by AM 2422

Section 88: (Pg. 59) Section 29 of LB 790 as amended by AM 2422

Section 89: (Pg. 59) Section 30 of LB 790 as amended by AM 2422

Section 90: (Pg. 59) Section 31 of LB 790 as amended by AM 2422

Section 91: (Pg. 59) Section 32 of LB 790 as amended by AM 2422

Section 92: (Pg. 59) Section 12 of LB 731 as amended by AM 2352

Section 93: (Pg. 60) Section 13 of LB 731 as amended by AM 2352

Section 94: (Pg. 60) Section 14 of LB 731 as amended by AM 2352

Section 95: (Pg. 60) Section 15 of LB 731 as amended by AM 2352

Section 96: (Pg. 60) Section 16 of LB 731 as amended by AM 2352

Section 97: (Pg. 60) Section 17 of LB 731 as amended by AM 2352

Section 98: (Pgs. 60-61) Section 18 of LB 731 as amended by AM 2352

Section 99: (Pgs. 61-62) Section 19 of LB 731 as amended by AM 2352

Section 100: (Pg. 62) Section 20 of LB 731 as amended by AM 2352

Section 101: (Pgs. 62-83) Section 3 of LB 681 as amended by AM 2207

Section 102: (Pg. 83) Repealer

Section 103: (Pg. 84) Repealer

Section 104: (Pg. 84) Repealer

Merv Riepe, Chairperson